



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Application of:
Andrea Brasch; Klaus Diblitz;
Arnold Meyer

Serial No.: 10/054,830

Filing Date: 01/23/2002

For: *Process for the Manufacture
of Dispersible Alumino-Silicates*

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Attorney Docket No.: Muller-6-1

Parent Serial No.: 09/269,989

Anticipated Art Unit No.: 1725

Parent Filed: May 1, 2000

Confirmation No. 9096

Examiner: Christina A. Ildebrando

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action dated August 4, 2004.

Applicants' claim to priority has been denied for reasons set forth in Paragraph 1-3 of the Office Action. In response hereto Applicants incorporate by reference a Petition pursuant to Rule 1.1(a)(3)(c) submitted together with this Response. It is believed that the facts set forth in the Petition clearly justify Applicants' claim for priority. More specifically, Applicants respectfully submit that the facts set forth in the accompanying Petition form both a legal and equitable basis for Applicants' claim of priority to be granted.

Turning to the rejection, Claims 23-34 and 36-42 stand rejected as being anticipated by DE 196 41 142. In view of the enclosed Petition, it is respectfully submitted that the cited reference is not a proper reference under 102(b) and

accordingly, the rejection is overcome.

Respectfully submitted,



C. James Bushman
Reg. No. 24,810

Date: November 4, 2004

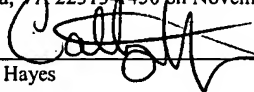
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CERTIFICATE OF MAILING

I certify that this document and fee is being deposited with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 4, 2004.

By: _____

Cathy Hayes



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